

## HB0362S02 compared with HB0362S01

~~{deleted text}~~ shows text that was in HB0362S01 but was deleted in HB0362S02.

inserted text shows text that was not in HB0362S01 but was inserted into HB0362S02.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

**Representative Johnny Anderson** proposes the following substitute bill:

### FOOD HANDLER TRAINING AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Johnny Anderson**

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill modifies the general sanitation chapter in the Health Code by amending provisions related to a food handler.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ prohibits a person from acting as a food handler for a food service establishment unless the person ~~{holds}~~obtains a valid food handler training certificate and holds a valid food handler permit;
- ▶ provides for a food handler training certificate and a food handler permit including content of the training, testing, fees, certificate, and validation period;
- ▶ allows the Department of Health to establish procedures to allow certain entities to

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provide the food handler training certificate course and test;<sup>f</sup>

→ ~~provides for exceptions from the food handler training certificate requirements;~~

and

- ▶ makes technical changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

This bill takes effect on July 1, 2012.

### Utah Code Sections Affected:

AMENDS:

**26-15-5**, as enacted by Laws of Utah 1981, Chapter 126

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **26-15-5** is amended to read:

#### **26-15-5. Requirements for food handlers.**

(1) As used in this section:

(a) "Approved training provider" means an entity:

(i) accredited by the American National Standards Institute under ANSI ASTM

International E2659-09 Standard Practice for Certificate Programs; and

(ii) approved by the department under Subsection (7) to provide a food handler training certificate course and test.

(b) "Food handler" means a person who prepares, stores, or serves food for a food service establishment.

(c) "Food handler permit" means a permit issued by the a local health department to allow a person to serve as a food handler.

(~~f~~<sup>d</sup>) "Food handler training certificate" means a certificate indicating successful completion of a training course and test:

(i) related to the standards under Subsections (1)(a)(i) and (6)(b); and

(ii) administered by an approved training provider;

(~~f~~<sup>d</sup>~~e~~) "Food service establishment" has the same meaning as provided in Section 26-15a-102.

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(2) ~~{Except as provided under Subsection (9), a}~~ A person may not serve as a food handler for a food service establishment unless the person ~~{holds}~~:

(a) obtains a valid food handler training certificate as provided under this section; and

(b) holds a valid food handler permit as provided under this section.

(3) (a) A person may obtain a food handler training certificate by successfully completing a food handler training certificate course from an approved training provider.

(b) A food handler training certificate may be used for one year after issuance to obtain a food handler permit.

(4) (a) A person may obtain a food handler permit by:

(i) presenting a valid food handler training certificate to a local health department; and

(ii) paying a food handler permit fee to the local health department.

(b) A local health department may not charge more than \$10 for a food handler permit.

~~(4)~~ (5) (a) A person serving as a food handler for a food service establishment shall obtain a food handler {training certificate} permit:

(i) within 30 days of initial employment with a food service establishment;

(ii) immediately upon expiration of the person's food handler {training certificate} permit; and

(iii) every three years thereafter.

(b) A person who holds a valid food handler {training certificate} permit under this section may serve as a food handler throughout the state without restriction.

(c) A food handler {training certificate} permit is valid for three years from the date of issuance.

~~{ — [The] (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules to establish minimum requirements for a food handler [certification and] training certificate and for an approved training provider necessary to promote general sanitation and protect the public health.~~

~~†~~ (6) The food handler training certificate course required under Subsection (3), shall:

(a) be designed to be completed within approximately two and a half hours;

(b) provide basic instruction on the Center for Disease Control and Prevention's Top Five Foodborne Illness Risk Factors, including:

(i) improper hot/cold holding temperatures of potentially hazardous food;

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(ii) improper cooking temperatures of food;

(iii) dirty or contaminated utensils and equipment;

(iv) poor employee health and hygiene; and

(v) food from unsafe sources;

(c) be offered through:

(i) a trainer-led class;

(ii) online through the Internet; or

(iii) through a combination of Subsections (6)(c)(i) and (ii); and

(d) include a food handler training certificate to indicate the successful completion of the course, ~~and~~ which:

(i) ~~includes~~ shall include identifying information determined by department rule;

(ii) may be delivered digitally or on-line; and

(iii) is not required to include a photo of the certificate holder.

(7) The department shall establish procedures to allow qualified entities to be an approved training provider.

(8) The entity that provides the food handler training certificate may charge a reasonable fee.

~~{(9) The requirements of this section do not apply to a person providing food handler services for an event, establishment, provider, or venue exempted from food service establishment requirements under Section 26-15a-105}~~ ~~[The] (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and as necessary to promote general sanitation and protect the public health the department shall make rules to establish minimum requirements for:~~

~~(a) a food handler [certification and] training [necessary to promote general sanitation and protect the public health.] certificate;~~

~~(b) an approved training provider; and~~

~~(c) a food handler permit.~~

Section 2. **Effective date.**

This bill takes effect on July 1, 2012.